

Thomas H. Casey - Bar No. 138264
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION**

| | | |
|--------------------------------------|---|--|
| In re: | § | CASE NO.: 8:13-BK-18057-TA |
| | § | (Consolidated with Case Nos. 8:13-bk- |
| | § | 18059 TA and 8:13-bk-18061-TA) |
| BANYAN LIMITED PARTNERSHIP, | § | |
| A NEVADA LIMITED PARTN | § | |
| | § | |
| Debtor. | § | |
| | § | |
| <u>X</u> Affects All Debtors | § | |
| | § | |
| __ Affects BANYAN LIMITED | § | |
| | § | |
| PARTNERSHIP, a Nevada limited | § | |
| partnership | § | |
| | § | |
| __ Affects PEAR TREE LIMITED | § | |
| | § | |
| PARTNERSHIP, a Nevada limited | § | |
| partnership | § | |
| | § | |
| __ Affects ORANGE BLOSSOM | § | |
| | § | |
| LIMITED PARTNERSHIP, a | § | |
| | § | |
| Nevada limited partnership | § | |
| | § | |

Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION REPORT
CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

Thomas H. Casey, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

| | | | |
|--|--------------|---------------------------------------|----|
| Assets Abandoned: <i>(without deducting any secured claims)</i> | \$499,000.00 | Assets Exempt: | NA |
| Total Distributions to Claimants: | \$46,526.48 | Claims Discharged Without Payment: | NA |
| Total Expenses of Administration: | \$303,473.52 | | |

3) Total gross receipts of \$350,000.00 (see **Exhibit 1**), minus funds paid to the debtor(s) and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$350,000.00 from the liquidation of the property of the estate, which was distributed as follows:

| | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|---------------------|--------------------|-------------------|----------------|
| Secured Claims (from Exhibit 3) | \$0.00 | \$540,000.00 | \$17,500.00 | \$17,500.00 |
| Priority Claims: | | | | |
| Chapter 7 Admin. Fees and Charges (from Exhibit 4) | NA | \$362,403.98 | \$362,403.98 | \$303,473.52 |
| Prior Chapter Admin. Fees and Charges (from Exhibit 5) | NA | \$0.00 | \$0.00 | \$0.00 |
| Priority Unsecured Claims (From Exhibit 6) | \$0.00 | \$17,058.48 | \$17,058.48 | \$17,058.48 |
| General Unsecured Claims (from Exhibit 7) | \$5,466,405.87 | \$3,323,750.27 | \$2,994,909.30 | \$11,968.00 |
| Total Disbursements | \$5,466,405.87 | \$4,243,212.73 | \$3,391,871.76 | \$350,000.00 |

4). This case was originally filed under chapter 7 on 09/27/2013. The case was pending for 60 months.

5). All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6). An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 09/04/2018

By: /s/ Thomas H. Casey
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

| DESCRIPTION | UNIFORM TRAN. CODE | AMOUNT RECEIVED |
|--|-----------------------|--------------------|
| JUDGMENT AGAINST IBT INTERNATIONAL, INC., OC SUPERIOR COURT, CASE NO. 764271, SECURED BY JUDGMENT LIEN ON RANCH IN TEHAC | 1129-000 | \$350,000.00 |
| TOTAL GROSS RECEIPTS | | \$350,000.00 |

The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

NONE

EXHIBIT 3 – SECURED CLAIMS

| CLAIM NUMBER | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|-----------------------------|-----------------|-----------------------|---------------------|--------------------|-------------------|----------------|
| 1OB | Dennis Hartmann | 4220-000 | \$0.00 | \$180,000.00 | \$0.00 | \$0.00 |
| 1PT | Dennis Hartmann | 4220-000 | \$0.00 | \$180,000.00 | \$0.00 | \$0.00 |
| | Dennis Hartman | 4110-000 | \$0.00 | \$180,000.00 | \$17,500.00 | \$17,500.00 |
| TOTAL SECURED CLAIMS | | | \$0.00 | \$540,000.00 | \$17,500.00 | \$17,500.00 |

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

| PAYEE | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|-----------------------|---------------------|--------------------|-------------------|----------------|
| Thomas H. Casey, Trustee | 2100-000 | NA | \$20,750.00 | \$20,750.00 | \$15,750.00 |
| Thomas H. Casey, Trustee | 2200-000 | NA | \$281.86 | \$281.86 | \$281.86 |
| International Sureties Ltd. | 2300-000 | NA | \$208.70 | \$208.70 | \$208.70 |
| Integrity Bank | 2600-000 | NA | \$3,052.17 | \$3,052.17 | \$3,052.17 |
| FRANCHISE TAX BOARD | 2990-000 | NA | \$5,122.34 | \$5,122.34 | \$5,122.34 |
| LOBEL WEILAND GOLDEN FRIEDMAN LLP, Attorney for Trustee | 3210-000 | NA | \$154,985.00 | \$154,985.00 | \$154,985.00 |
| WEILAND GOLDEN GOODRICH LLP, Attorney for Trustee | 3210-000 | NA | \$87,250.00 | \$87,250.00 | \$33,319.54 |
| WEILAND GOLDEN SMILEY & WANG EKVALL LLP, Attorney for Trustee | 3210-000 | NA | \$45,417.00 | \$45,417.00 | \$45,417.00 |

| | | | | | |
|---|----------|----|--------------|--------------|--------------|
| JONATHAN P. CHODOS, A PROFESSIONAL CORP, ATTY CLIENT TRUST ACCT, Special Counsel for Trustee | 3210-600 | NA | \$35,000.00 | \$35,000.00 | \$35,000.00 |
| LOBEL WEILAND GOLDEN FRIEDMAN LLP, Attorney for Trustee | 3220-000 | NA | \$923.18 | \$923.18 | \$923.18 |
| WEILAND GOLDEN GOODRICH LLP, Attorney for Trustee | 3220-000 | NA | \$1,593.00 | \$1,593.00 | \$1,593.00 |
| WEILAND GOLDEN SMILEY & WANG EKVALL LLP, Attorney for Trustee | 3220-000 | NA | \$631.83 | \$631.83 | \$631.83 |
| JONATHAN P. CHODOS, A PROFESSIONAL CORP. ATTY CLIENT TRUST ACCOUNT, Special Counsel for Trustee | 3220-610 | NA | \$2,652.00 | \$2,652.00 | \$2,652.00 |
| Hahn Fife & Company, Accountant for Trustee | 3410-000 | NA | \$2,316.00 | \$2,316.00 | \$2,316.00 |
| Hahn Fife & Company, Accountant for Trustee | 3420-000 | NA | \$470.90 | \$470.90 | \$470.90 |
| DAVID GOULD, Arbitrator/Mediator for Trustee | 3721-000 | NA | \$1,750.00 | \$1,750.00 | \$1,750.00 |
| TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES | | NA | \$362,403.98 | \$362,403.98 | \$303,473.52 |

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

NONE

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

| CLAIM NUMBER | CLAIMANT | UNIFORM TRAN. CODE | CLAIMS SCHEDULED | CLAIMS ASSERTED | CLAIMS ALLOWED | CLAIMS PAID |
|--|------------------------|-----------------------|---------------------|--------------------|-------------------|----------------|
| 2B p | FRANCHISE TAX BOARD | 5800-000 | \$0.00 | \$17,058.48 | \$17,058.48 | \$17,058.48 |
| TOTAL PRIORITY UNSECURED CLAIMS | | | \$0.00 | \$17,058.48 | \$17,058.48 | \$17,058.48 |

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

| CLAIM | CLAIMANT | UNIFORM | CLAIMS | CLAIMS | CLAIMS | CLAIMS |
|-------|----------|---------|--------|--------|--------|--------|
|-------|----------|---------|--------|--------|--------|--------|

| NUMBER | | TRAN. CODE | SCHEDULED | ASSERTED | ALLOWED | PAID |
|--------|--|------------|--------------|--------------|--------------|-------------|
| 1B | Internal Revenue Service | 7100-000 | \$0.00 | \$700.00 | \$700.00 | \$35.00 |
| 2B gu | FRANCHISE TAX BOARD | 7100-000 | \$0.00 | \$6,658.09 | \$6,658.09 | \$332.90 |
| 2PT | Snell & Wilmer | 7100-000 | \$0.00 | \$8,529.70 | \$0.00 | \$0.00 |
| 2OB | Snell & Wilmer | 7100-000 | \$0.00 | \$8,529.70 | \$0.00 | \$0.00 |
| 3OB | IBT International | 7400-000 | \$288,535.00 | \$411,281.51 | \$411,281.51 | \$0.00 |
| 3PT | IBT International | 7400-000 | \$288,535.00 | \$411,281.51 | \$411,281.51 | \$0.00 |
| 4-2 PT | Southern California Sunbelt Developers, Inc. | 7400-000 | \$586,784.00 | \$251,500.00 | \$251,500.00 | \$0.00 |
| 4-2 OB | Southern California Sunbelt Developers, Inc. | 7400-000 | \$586,784.00 | \$0.00 | \$0.00 | \$0.00 |
| 5B | Gary A Case, CPA | 7100-000 | \$0.00 | \$10,000.00 | \$10,000.00 | \$500.00 |
| 5PT | Dan Baer | 7400-000 | \$0.00 | \$219,329.70 | \$219,329.70 | \$0.00 |
| 5OB | Dan Baer | 7400-000 | \$0.00 | \$219,329.70 | \$219,329.70 | \$0.00 |
| 6OB | Kitty Yee-Wong | 7100-000 | \$0.00 | \$6,440.00 | \$0.00 | \$0.00 |
| 6PT | Kitty Yee-Wong | 7100-000 | \$0.00 | \$12,919.67 | \$0.00 | \$0.00 |
| 6B | Logden Lacher Golditch Sardi | 7100-000 | \$251,929.38 | \$427,982.27 | \$213,473.70 | \$10,673.62 |
| 7B | Snell & Wilmer | 7100-000 | \$0.00 | \$8,529.70 | \$8,529.70 | \$426.48 |
| 7PT | The Nunley Law Firm PLLC | 7100-000 | \$35,000.00 | \$38,070.00 | \$0.00 | \$0.00 |
| 7OB | The Nunley Law Firm PLLC | 7100-000 | \$35,000.00 | \$38,070.00 | \$0.00 | \$0.00 |
| 8B | IBT International, Inc. | 7400-000 | \$288,535.00 | \$411,281.51 | \$411,281.51 | \$0.00 |
| 9B | Southern Ca. Sunbelt Developers | 7400-000 | \$586,784.00 | \$573,514.18 | \$573,514.18 | \$0.00 |
| 10B | Dan W. Baer | 7400-000 | \$0.00 | \$219,329.70 | \$219,329.70 | \$0.00 |
| 11B | Kitty Yee-Wong | 7100-000 | \$0.00 | \$1,773.33 | \$0.00 | \$0.00 |
| 12B | The Nunley Firm | 7400-000 | \$35,000.00 | \$38,700.00 | \$38,700.00 | \$0.00 |
| | CARLTON FIELDS | 7100-000 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| | CARLTON FIELDS | 7100-000 | \$4,263.11 | \$0.00 | \$0.00 | \$0.00 |
| | CARLTON FIELDS | 7100-000 | \$4,263.00 | \$0.00 | \$0.00 | \$0.00 |
| | ENTERPRISE COUNSEL GROUP | 7100-000 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| | ENTERPRISE COUNSEL GROUP | 7100-000 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

| | | | | | |
|--|----------|----------------|----------------|----------------|-------------|
| ENTERPRISE COUNSEL GROUP | 7100-000 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| IBT INTERNATION AL, INC | 7100-000 | \$288,535.00 | \$0.00 | \$0.00 | \$0.00 |
| INTERNAL REVENUE SERVICE | 7100-000 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| LAW OFFICE OF DENNIS HARTMANN | 7100-000 | \$334,332.00 | \$0.00 | \$0.00 | \$0.00 |
| LAW OFFICE OF DENNIS HARTMANN | 7100-000 | \$304,060.00 | \$0.00 | \$0.00 | \$0.00 |
| LAW OFFICE OF DENNIS HARTMANN | 7100-000 | \$1,296,137.00 | \$0.00 | \$0.00 | \$0.00 |
| LODGEN LACHER GOLDITCH SARDI, ET AL | 7100-000 | \$251,929.38 | \$0.00 | \$0.00 | \$0.00 |
| STEVEN TREU, LANGLEY AND BANNOCK | 7100-000 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| STEVEN TREU, LANGLEY AND BANNOCK | 7100-000 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| STEVEN TREU, LANGLEY AND BANNOCK | 7100-000 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| TOTAL GENERAL UNSECURED CLAIMS | | \$5,466,405.87 | \$3,323,750.27 | \$2,994,909.30 | \$11,968.00 |

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INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

Page No: 1

Exhibit 8

ASSET CASES

Case No.: 13-18057-TA
Case Name: BANYAN LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP
For the Period Ending: 9/4/2018

Trustee Name: Thomas H. Casey
Date Filed (f) or Converted (c): 09/27/2013 (f)
§341(a) Meeting Date: 11/04/2013
Claims Bar Date: 02/03/2014

| 1 | 2 | 3 | 4 | 5 | 6 |
|---|---|--|--|--|---|
| Asset Description (Scheduled and Unscheduled (u) Property) | Petition/ Unscheduled Value | Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA =§ 554(a) abandon. | Sales/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| Ref. # | | | | | |
| 1 | JUDGMENT AGAINST IBT INTERNATIONAL, INC., OC SUPERIOR COURT, CASE NO. 764271, SECURED BY JUDGMENT LIEN ON RANCH IN TEHACHAPI | \$2,592,274.00 | \$0.00 | \$350,000.00 | FA |
| Asset Notes: 12/20/16 ORDER APPROVING PURCHASE AND SETTLEMENT AGREEMENT PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9019 AND 11 U.S.C. PER AMENDED SCH D FILED 2/18/14, ATTORNEY LIEN BY LAW OFFICE OF DENNIS HARTMANN AGAINST THE IBT JUDGMENT WAS ADDED; DEBTOR HOLDS A JUDGMENT AGAINST IBT IN THE PRINCIPAL AMOUNT OF \$2,330,911 PLUS POST JUDGMENT INTEREST. THE SUPERIOR COURT AWARDED FEES AND COSTS OF \$9,918.85, BUT THESE ARE ON APPEAL. AFTER THE JUDGMENT WAS ENTERED, AN ABSTRACT OF JUDGMENT WAS RECORDED AGAINST THE IBT RANCH, UNLESS THE TRUSTEE IS SUCCESSFUL IN THE INVOLUNTARY AGAINST IBT, THE RANCH WILL BE OVERENCUMBERED; TRUSTEE HAS RECENTLY SETTLED THE JUDGMENT AND A MOTION TO APPROVE THE SETTLEMENT IS SCHEDULED TO BE HEARD ON 11/1/16; THE AGREEMENT PROVIDES FOR THE SALE AND ASSIGNMENT OF THE JUDGMENT FOR THE PURCHASE PRICE OF \$425,000 (SUBJECT TO \$75K REDUCTION FOR CLAIM OBJECTION) | | | | | |
| 2 | CLAIM AGAINST DAN BAER, ET AL SUBJECT TO DEBTOR'S PETITION FOR REVIEW BY CALIFORNIA SUPREME COURT, ARISING FROM OC SUPERIOR COURT CASE NO. 764271 | \$0.00 | \$0.00 | \$0.00 | FA |
| Asset Notes: PER AMENDED SCH B FILED 2/18/14, VALUE REDUCED FROM \$10,500,000 TO \$0.00 | | | | | |
| 3 | POTENTIAL INTEREST IN SUPERIOR COURT ORDERED UNDERTAKING ACCOUNT TO SATISFY JUDGMENT IN OC SUPERIOR COURT CASE NO. 764271 | \$499,000.00 | \$0.00 | \$0.00 | FA |
| Asset Notes: DEBTOR HOLDS A JUDGMENT AGAINST IBT IN THE PRINCIPAL AMOUNT OF \$2,330,911 PLUS POST JUDGMENT INTEREST. THE SUPERIOR COURT AWARDED FEES AND COSTS OF \$9,918.85, BUT THESE ARE ON APPEAL. AFTER THE JUDGMENT WAS ENTERED, AN ABSTRACT OF JUDGMENT WAS RECORDED AGAINST THE IBT RANCH, UNLESS THE TRUSTEE IS SUCCESSFUL IN THE INVOLUNTARY AGAINST IBT, THE RANCH WILL BE OVERENCUMBERED. THE VALUE OF THE RANCH HAS NOT YET BEEN DETERMINED; ALL LITIGATION RESOLVED AS PART OF PENDING SETTLEMENT; SEE ASSET #1 | | | | | |
| 4 | JUDGMENT LIEN ON RANCH IN TEHACHAPI CA TO SECURE JUDGMENT AGAINST IBT IN SUPERIOR COURT CASE NO. 764271 | Unknown | \$0.00 | \$0.00 | FA |
| Asset Notes: DEBTOR HOLDS A JUDGMENT AGAINST IBT IN THE PRINCIPAL AMOUNT OF \$2,330,911 PLUS POST JUDGMENT INTEREST. THE SUPERIOR COURT AWARDED FEES AND COSTS OF \$9,918.85, BUT THESE ARE ON APPEAL. AFTER THE JUDGMENT WAS ENTERED, AN ABSTRACT OF JUDGMENT WAS RECORDED AGAINST | | | | | |

ASSET CASES

Case No.: 13-18057-TA
Case Name: BANYAN LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP
For the Period Ending: 9/4/2018

Trustee Name: Thomas H. Casey
Date Filed (f) or Converted (c): 09/27/2013 (f)
§341(a) Meeting Date: 11/04/2013
Claims Bar Date: 02/03/2014

| 1 | 2 | 3 | 4 | 5 | 6 |
|---|-----------------------------------|--|--|--|---|
| Asset Description (Scheduled and Unscheduled (u) Property) | Petition/ Unscheduled Value | Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA =§ 554(a) abandon. | Sales/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |
| THE IBT RANCH, UNLESS THE TRUSTEE IS SUCCESSFUL IN THE INVOLUNTARY AGAINST IBT, THE RANCH WILL BE OVERENCUMBERED; ALL LITIGATION SETTLED AS PART OF PENDING SETTLEMENT AGREEMENT (SEE ASSET #1) | | | | | |

TOTALS (Excluding unknown value)

\$3,091,274.00\$0.00\$350,000.00Gross Value of Remaining Assets\$0.00**Major Activities affecting case closing:**

01/29/2018 Order Approving 4th Stipulation to Continue Hearing on Objection to Hartmann Claim - new hearing date February 6, 2018
01/25/2018 Mediation - Hartmann Claim Objection resolved
12/27/2017 Mediation scheduled for January 25, 2018 at 10:00 am to resolve Hartmann Claim
10/10/2017 ASSETS: All assets have been administered
TAXES: Tax returns have been prepared.
CLAIMS: Objection to Claim #42 continued to November 28, 2017.
LITIGATION: None pending
INSURANCE: None required
CURRENT STATUS: The last claim objection (Dennis Hartmann) was continued from 9/26/17 to 11/28/17. The estimated TFR date has been updated to allow additional time to resolve the remaining claim objection.
05/11/2017 Order Granting Motion for Order Authorizing Substantive Consolidation of The Debtors' Estates
01/24/2017 Order Dismissing Involuntary Case IBT International, Inc 8:15-bk-12925-ES

ASSET CASES

Case No.: 13-18057-TACase Name: BANYAN LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIPFor the Period Ending: 9/4/2018Trustee Name: Thomas H. CaseyDate Filed (f) or Converted (c): 09/27/2013 (f)§341(a) Meeting Date: 11/04/2013Claims Bar Date: 02/03/2014

| 1 | 2 | 3 | 4 | 5 | 6 |
|--|-----------------------------------|--|--|--|---|
| Asset Description (Scheduled and Unscheduled (u) Property) | Petition/ Unscheduled Value | Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs) | Property Abandoned OA =§ 554(a) abandon. | Sales/Funds Received by the Estate | Asset Fully Administered (FA)/ Gross Value of Remaining Assets |

10/13/2016

NOTE: On 8/2/16, the Trustee filed motions in each of the Debtor's estates requesting joint administration of Orange Blossom and Pear Tree with Banyan. The motions were granted by order entered on 8/24/16. Consequently, the cases of Banyan Limited Partnership, Pear Tree Limited Partnership and Orange Blossom Limited Partnership are now being jointly administered.

ASSETS: Judgment against IBT - recently settled; hearing on approval of settlement scheduled for 11/1/16

TAXES: No income to date

LITIGATION: None

INSURANCE: None required

CURRENT STATUS:

As discussed in the last Annual Report, on 6/8/15, the Trustee on behalf of the estates filed an involuntary petition against IBT thereby commencing In re IBT International, Inc., Case No. 8:15-bk-12925-ES. IBT filed its answer on 7/2/15. IBT filed a Motion to Dismiss the Involuntary Petition (the "Dismissal Motion") on 4/8/16, which the Trustee opposed. The matter was argued and taken under submission by the Court.

Prior to the Court issuing its oral ruling on the Dismissal Motion, the Trustee, IBT, and IBT's principal, Dan Baer ("Baer"), reached a settlement agreement regarding the judgments whereby Baer will purchase the judgments for \$425,000 (subject to a \$75,000 reduction based upon a pending objection to claim) subject to overbid. The agreement also provides for the subordination of IBT's claim against the Debtors as well as Baer's claim and a related entity. A motion to authorize the Trustee to enter into the Agreement and approve its terms was recently filed by Trustee's counsel and a hearing on the Agreement is scheduled for 11/1/16. The involuntary case and the Dismissal Motion are being held in abeyance at the request of the Trustee and IBT pending the approval of the agreement.

For decades prior to the Petition Date, the Debtors were involved in litigation in Orange County Superior Court against multiple parties. Ultimately, the Debtor were awarded a judgment as to certain causes of action. In the pursuit of the litigation, the Debtors utilized the services of Lodgen Lacher Golditch Sardi Saunders & Howard, LLP ("Logden") as a consultant, expert witness and/or for accounting purposes. In April, 2014, Logden filed a claim against the estate in the amount of \$427,982.27, docketed as claim no. 6 on the Court's claims register ("Lodgen Claim").

As part of the Agreement entered into with Baer, the Trustee agreed to file an objection to the claim of Lodgen seeking to disallow the Lodgen Claim on the basis that there is little to no evidence to demonstrate the estates' liability for the amount set forth in the Lodgen Claim. The Trustee has filed a Motion objection to the Lodgen Claim and a hearing is currently scheduled for 11/1/16.

The Trustee is also looking into whether there are possible claims against Don Grammer, the former managing member of the partnerships. However, it appears that Mr. Grammer has an indemnification agreement that would inhibit the estates' ability to recover on any such claims.

Assuming that it is determined that there is no viable claims against Don Grammer, upon entered Orders approving the above settlement and disallowing the Lodgen Claim, this case will be fully administered and can move toward the case closing process.

ANNUAL REPORT STATUS (9/30/15):

According to the Debtor, once the judgment against IBT was obtained, the Debtor recorded an abstract of judgment against a 7,500-acre ranch located in Tehachapi, CA owned by IBT

ASSET CASES

Case No.: 13-18057-TA
Case Name: BANYAN LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP
For the Period Ending: 9/4/2018

Trustee Name: Thomas H. Casey
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("IBT Ranch"). The IBT Ranch is encumbered by a deed of trust in favor of American Empire Bank, an entity owned by Daniel Baer and/or his family trust, that purports to secure an alleged loan that is roughly equal to the estimated value of the Ranch. The Debtor's judgment is junior to that deed of trust.

On 6/8/15, an involuntary petition was filed against IBT by the petitioning creditors, to which IBT has filed an Answer. At a continued status conference conducted on 8/20/15, the parties were directed by the Court to attend mediation before 10/30/15 with a deadline to complete discovery by 12/18/15. A pretrial conference is currently scheduled for 2/4/16. Unless the Trustee is successful on the involuntary petition against IBT, the Ranch will be overencumbered and there may be little recovery for the estate.

ANNUAL REPORT STATUS (9/30/14):

The Debtor filed a voluntary petition under Chapter 7 of the Bankruptcy Code on 9/27/13. On the same day, the related entities Pear Tree Limited Partnership ("Pear Tree") and Orange Blossom Limited Partnership ("Orange Blossom"), also filed voluntary chapter 7 petitions as case nos. 8:13-bk-18059-TA and 8:13-bk-18061-TA, respectively (the "Related Cases," and together with the Debtor, the "Debtors"). Thomas Casey is the Chapter 7 Trustee in the Related Cases.

Among the assets of the Debtors' estates are the following judgments that they obtained against IBT International, Inc. ("IBT") in Orange County Superior Court: (1) a judgment in favor of Banyan Tree in the principal amount of \$700,000; (2) a judgment in favor of Orange Blossom in the principal amount of \$175,000; and (3) a judgment in favor of Pear Tree in the principal amount of \$150,000. The Debtors were also awarded pre-verdict and post-verdict interest. The judgments are final judgments and the Debtors have indicated that they have recorded abstracts of judgment. The Trustee believes that IBT holds setoff rights against one or more of the Debtors as a result of judgments entered against the Debtors in connection with an involuntary bankruptcy petition.

By Order entered 4/9/14, the Trustee was authorized to employ general counsel to assist in the administration of these assets. In June, 2014, the Trustee also filed an application to employ Jonathan P. Chodos as Special Counsel to pursue collection of the judgments against IBT, to analyze any rights that IBT may have against parties claiming a security interest in these assets, to analyze the Debtors' setoff rights against IBT and to represent the estate in connection with cost awards relating to the underlying litigation. Opposition was filed by a creditor, to which the Trustee filed a Reply and after hearing on the Application, by Order entered 7/29/14, the Trustee was authorized to employ Attorney Chodos as special counsel. Special Counsel is currently proceeding with his analysis and collection efforts.

Initial Projected Date Of Final Report (TFR): 09/30/2015

Current Projected Date Of Final Report (TFR): 04/15/2018

/s/ THOMAS H. CASEY
THOMAS H. CASEY

CASH RECEIPTS AND DISBURSEMENTS RECORD

Exhibit 9

Case No. 13-18057-TA **Trustee Name:** Thomas H. Casey
Case Name: BANYAN LIMITED PARTNERSHIP, A NEVADA LIMITED **Bank Name:** Independent Bank
PARTNERSHIP
Primary Taxpayer ID #: **_***1178 **Checking Acct #:** *****8057
Co-Debtor Taxpayer ID #: **Account Title:** Gen'l Account
For Period Beginning: 9/27/2013 **Blanket bond (per case limit):** \$3,920,000.00
For Period Ending: 9/4/2018 **Separate bond (if applicable):**

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|------------------|----------------|-----------------------------------|---|-------------------|--------------|-----------------|--------------|
| Transaction Date | Check / Ref. # | Paid to/ Received From | Description of Transaction | Uniform Tran Code | Deposit \$ | Disbursement \$ | Balance |
| 10/27/2016 | (1) | DAN W. BAER | DEPOSIT FOR PURCHASE OF JUDGMENTS | 1129-000 | \$350,000.00 | | \$350,000.00 |
| 10/31/2016 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$18.21 | \$349,981.79 |
| 11/25/2016 | | Integrity Bank | Reverse bank fee | 2600-000 | | (\$18.21) | \$350,000.00 |
| 12/21/2016 | 5001 | LOBEL WEILAND GOLDEN FRIEDMAN | PAID PER ORDER ON APPLICATIONS FOR COMPENSATION ENTERED 12/15/16 | 3210-000 | | \$154,985.00 | \$195,015.00 |
| 12/21/2016 | 5002 | LOBEL WEILAND GOLDEN FRIEDMAN | PAID PER ORDER ON APPLICATIONS FOR COMPENSATION ENTERED 12/15/16 | 3220-000 | | \$923.18 | \$194,091.82 |
| 12/21/2016 | 5003 | WEILAND GOLDEN SMILEY & WANG | PAID PER ORDER ON APPLICATIONS FOR COMPENSATION ENTERED 12/15/16 | 3210-000 | | \$45,417.00 | \$148,674.82 |
| 12/21/2016 | 5004 | WEILAND GOLDEN SMILEY & WANG | PAID PER ORDER ON APPLICATIONS FOR COMPENSATION ENTERED 12/15/16 | 3220-000 | | \$631.83 | \$148,042.99 |
| 12/31/2016 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$459.45 | \$147,583.54 |
| 01/24/2017 | 5005 | International Sureties Ltd. | Bond Payment | 2300-003 | | \$136.49 | \$147,447.05 |
| 01/24/2017 | 5006 | International Sureties Ltd. | BOND #016030866 TERM 01/04/17 TO 01/04/18 BOND AMOUNT \$8,600,000 | 2300-000 | | \$136.49 | \$147,310.56 |
| 01/26/2017 | 5005 | VOID: International Sureties Ltd. | | 2300-003 | | (\$136.49) | \$147,447.05 |
| 01/26/2017 | 5007 | JONATHAN P. CHODOS, A | FEES AND COSTS ALLOWED PER EMPLOYMENT ORDER ENTERED 7/29/14, NO INTERIM OR FINAL FEE APPLICATION REQUIRED; PURSUANT TO EMAIL DATED 1/26/17 FROM J. CHODOS WITH ACKNOWLEDGMENT FOR PAYMENT OF FEES AND COSTS IN FULL | 3210-600 | | \$35,000.00 | \$112,447.05 |
| 01/26/2017 | 5008 | JONATHAN P. CHODOS, A | FEES AND COSTS ALLOWED PER EMPLOYMENT ORDER ENTERED 7/29/14, NO INTERIM OR FINAL FEE APPLICATION REQUIRED; PURSUANT TO EMAIL DATED 1/26/17 FROM J. CHODOS WITH ACKNOWLEDGMENT FOR PAYMENT OF FEES AND COSTS IN FULL | 3220-610 | | \$2,652.00 | \$109,795.05 |
| 01/31/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$236.06 | \$109,558.99 |
| 02/28/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$159.61 | \$109,399.38 |
| 03/31/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$176.45 | \$109,222.93 |

SUBTOTALS \$350,000.00 \$240,777.07

CASH RECEIPTS AND DISBURSEMENTS RECORD

Exhibit 9

Case No. 13-18057-TA Trustee Name: Thomas H. Casey
Case Name: BANYAN LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP Bank Name: Independent Bank
Primary Taxpayer ID #: **_***1178 Checking Acct #: *****8057
Co-Debtor Taxpayer ID #: Account Title: Gen'l Account
For Period Beginning: 9/27/2013 Blanket bond (per case limit): \$3,920,000.00
For Period Ending: 9/4/2018 Separate bond (if applicable):

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|------------------|----------------|------------------------------|---|-------------------|------------|-----------------|--------------|
| Transaction Date | Check / Ref. # | Paid to/ Received From | Description of Transaction | Uniform Tran Code | Deposit \$ | Disbursement \$ | Balance |
| 04/30/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$170.48 | \$109,052.45 |
| 05/31/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$162.00 | \$108,890.45 |
| 06/30/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$156.54 | \$108,733.91 |
| 07/31/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$161.53 | \$108,572.38 |
| 08/31/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$161.29 | \$108,411.09 |
| 09/30/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$155.85 | \$108,255.24 |
| 10/31/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$160.81 | \$108,094.43 |
| 11/30/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$155.40 | \$107,939.03 |
| 12/31/2017 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$160.34 | \$107,778.69 |
| 01/31/2018 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$160.11 | \$107,618.58 |
| 02/06/2018 | 5009 | DAVID GOULD | MEDIATION FEE PAID BY TRUSTEE PURSUANT TO O/E 2/5/18 (TRUSTEE REQUIRED TO PAY 1/2 OF TOTAL MEDIATION FEE) | 3721-000 | | \$1,750.00 | \$105,868.58 |
| 02/06/2018 | 5010 | International Sureties, LTD. | Bond # 016030856 | 2300-000 | | \$72.21 | \$105,796.37 |
| 02/28/2018 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$143.68 | \$105,652.69 |
| 03/14/2018 | 5011 | Dennis Hartman | Paid pursuant to order approving stipulation resolving objection to claim no. 4-3 (Dennis Hartmann) entered February 28, 2018 | 4110-000 | | \$17,500.00 | \$88,152.69 |
| 03/31/2018 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$146.05 | \$88,006.64 |
| 04/30/2018 | | Integrity Bank | Bank Service Fee | 2600-000 | | \$126.52 | \$87,880.12 |
| 06/28/2018 | 5012 | Hahn Fife & Company | First and final dividend Claim #: ; Distribution Dividend: 100.00; Account Number: ; | 3410-000 | | \$2,316.00 | \$85,564.12 |
| 06/28/2018 | 5013 | Hahn Fife & Company | First and final dividend Claim #: ; Distribution Dividend: 100.00; Account Number: ; | 3420-000 | | \$470.90 | \$85,093.22 |
| 06/28/2018 | 5014 | Thomas H. Casey | Trustee Compensation | 2100-000 | | \$15,750.00 | \$69,343.22 |
| 06/28/2018 | 5015 | Thomas H. Casey | Trustee Expenses | 2200-000 | | \$281.86 | \$69,061.36 |
| 06/28/2018 | 5016 | WEILAND GOLDEN GOODRICH LLP | First and final dividend Claim #: ; Distribution Dividend: 100.00; Account Number: ; | 3220-000 | | \$1,593.00 | \$67,468.36 |
| 06/28/2018 | 5017 | WEILAND GOLDEN GOODRICH LLP | First and final dividend Claim #: ; Distribution Dividend: 100.00; Account Number: ; | 3210-000 | | \$33,319.54 | \$34,148.82 |
| 06/28/2018 | 5018 | Internal Revenue Service | First and final dividend Claim #: 1; Distribution Dividend: 5.00; Account Number: ; | 7100-000 | | \$35.00 | \$34,113.82 |

SUBTOTALS \$0.00 \$75,109.11

CASH RECEIPTS AND DISBURSEMENTS RECORD

Exhibit 9

Case No. 13-18057-TA Trustee Name: Thomas H. Casey
Case Name: BANYAN LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP Bank Name: Independent Bank
Primary Taxpayer ID #: **_***1178 Checking Acct #: *****8057
Co-Debtor Taxpayer ID #: Account Title: Gen'l Account
For Period Beginning: 9/27/2013 Blanket bond (per case limit): \$3,920,000.00
For Period Ending: 9/4/2018 Separate bond (if applicable):

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|------------------|----------------|------------------------------|---|-------------------|------------|-----------------|-------------|
| Transaction Date | Check / Ref. # | Paid to/ Received From | Description of Transaction | Uniform Tran Code | Deposit \$ | Disbursement \$ | Balance |
| 06/28/2018 | 5019 | FRANCHISE TAX BOARD | First and final dividend Claim #: 2; Distribution Dividend: 100.00; Account Number: ; | 5800-000 | | \$17,058.48 | \$17,055.34 |
| 06/28/2018 | 5020 | FRANCHISE TAX BOARD | First and final dividend Claim #: 2; Distribution Dividend: 5.00; Account Number: ; | 7100-000 | | \$332.90 | \$16,722.44 |
| 06/28/2018 | 5021 | FRANCHISE TAX BOARD | First and final dividend Claim #: 3; Distribution Dividend: 100.00; Account Number: ; | 2990-000 | | \$5,122.34 | \$11,600.10 |
| 06/28/2018 | 5022 | Gary A Case, CPA | First and final dividend Claim #: 5; Distribution Dividend: 5.00; Account Number: ; | 7100-000 | | \$500.00 | \$11,100.10 |
| 06/28/2018 | 5023 | Logden Lacher Golditch Sardi | First and final dividend Claim #: 6; Distribution Dividend: 5.00; Account Number: ; | 7100-000 | | \$10,673.62 | \$426.48 |
| 06/28/2018 | 5024 | Snell & Wilmer | First and final dividend Claim #: 7; Distribution Dividend: 5.00; Account Number: ; | 7100-000 | | \$426.48 | \$0.00 |

| | | | |
|----------------------------------|--------------|--------------|--------|
| TOTALS: | \$350,000.00 | \$350,000.00 | \$0.00 |
| Less: Bank transfers/CDs | \$0.00 | \$0.00 | |
| Subtotal | \$350,000.00 | \$350,000.00 | |
| Less: Payments to debtors | \$0.00 | \$0.00 | |
| Net | \$350,000.00 | \$350,000.00 | |

For the period of 9/27/2013 to 9/4/2018

| | |
|-----------------------------------|--------------|
| Total Compensable Receipts: | \$350,000.00 |
| Total Non-Compensable Receipts: | \$0.00 |
| Total Comp/Non Comp Receipts: | \$350,000.00 |
| Total Internal/Transfer Receipts: | \$0.00 |

| | |
|--|--------------|
| Total Compensable Disbursements: | \$350,000.00 |
| Total Non-Compensable Disbursements: | \$0.00 |
| Total Comp/Non Comp Disbursements: | \$350,000.00 |
| Total Internal/Transfer Disbursements: | \$0.00 |

For the entire history of the account between 10/27/2016 to 9/4/2018

| | |
|-----------------------------------|--------------|
| Total Compensable Receipts: | \$350,000.00 |
| Total Non-Compensable Receipts: | \$0.00 |
| Total Comp/Non Comp Receipts: | \$350,000.00 |
| Total Internal/Transfer Receipts: | \$0.00 |

| | |
|--|--------------|
| Total Compensable Disbursements: | \$350,000.00 |
| Total Non-Compensable Disbursements: | \$0.00 |
| Total Comp/Non Comp Disbursements: | \$350,000.00 |
| Total Internal/Transfer Disbursements: | \$0.00 |

CASH RECEIPTS AND DISBURSEMENTS RECORD

Exhibit 9

Case No. 13-18057-TA Trustee Name: Thomas H. Casey
Case Name: BANYAN LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP Bank Name: Independent Bank
Primary Taxpayer ID #: **_***1178 Checking Acct #: *****8057
Co-Debtor Taxpayer ID #: Account Title: Gen'l Account
For Period Beginning: 9/27/2013 Blanket bond (per case limit): \$3,920,000.00
For Period Ending: 9/4/2018 Separate bond (if applicable):

| 1 | 2 | 3 | 4 | | 5 | 6 | 7 |
|------------------|----------------|---------------------------|----------------------------|-------------------|------------|-----------------|---------|
| Transaction Date | Check / Ref. # | Paid to/ Received From | Description of Transaction | Uniform Tran Code | Deposit \$ | Disbursement \$ | Balance |

| TOTAL - ALL ACCOUNTS | NET DEPOSITS | NET DISBURSE | ACCOUNT BALANCES |
|----------------------|--------------|--------------|------------------|
| | \$350,000.00 | \$350,000.00 | \$0.00 |

For the period of 9/27/2013 to 9/4/2018

Total Compensable Receipts: \$350,000.00
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$350,000.00
Total Internal/Transfer Receipts: \$0.00

Total Compensable Disbursements: \$350,000.00
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$350,000.00
Total Internal/Transfer Disbursements: \$0.00

For the entire history of the case between 09/27/2013 to 9/4/2018

Total Compensable Receipts: \$350,000.00
Total Non-Compensable Receipts: \$0.00
Total Comp/Non Comp Receipts: \$350,000.00
Total Internal/Transfer Receipts: \$0.00

Total Compensable Disbursements: \$350,000.00
Total Non-Compensable Disbursements: \$0.00
Total Comp/Non Comp Disbursements: \$350,000.00
Total Internal/Transfer Disbursements: \$0.00

/s/ THOMAS H. CASEY

THOMAS H. CASEY